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Promotion and protection of the rights of children

Report of the Third Committee

Rapporteur: Mr. Abdulla Eid Salman **Al-Sulaiti** (Qatar)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-eighth session the item entitled "Promotion and protection of the rights of children" and to allocate it to the Third Committee.

2. The Third Committee considered the item at its 16th to 20th, 26th, 27th, 32nd, 34th, 36th, 56th, 58th, 59th, 60th and 62nd meetings, on 17, 20, 21 28 and 29 October, 4, 6, 7, 24, 26 and 28 November and 1 December 2003. At its 16th to 20th meetings, the Committee held a general discussion on the item. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/58/SR.16-20, 26, 27, 32, 34, 36, 56, 58-60 and 62).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the status of the Convention on the Rights of the Child (A/58/282);

(b) Report of the Secretary-General on children and armed conflict (A/58/546-S/2003/1053);

(c) Note by the Secretary-General transmitting the annual report of his Special Representative for Children and Armed Conflict (A/58/328);

(d) Note by the Secretary-General drawing the attention of Member States to his report on progress towards implementation of the Declaration of Commitment on HIV/AIDS, contained in document A/58/184 (A/58/329);

(e) Letter dated 4 August 2003 from the Permanent Representative of Honduras to the United Nations addressed to the Secretary-General (A/58/272);

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(f) Letter dated 2 October 2003 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General transmitting the declaration and the statement on Palestine adopted by the Ministers for Foreign Affairs of the Non-Aligned Movement at their meeting held at United Nations Headquarters on 26 September 2003 (A/58/420);

(g) Note by the Secretariat on a recommendation of the Committee on the Rights of the Child on its working methods (A/C.3/58/10).

4. At the 16th meeting, on 17 October, the Director of the New York Office of the United Nations High Commissioner for Human Rights and the Deputy Executive Director of the United Nations Children's Fund made introductory statements (see A/C.3/58/SR.16).

5. At the same meeting, the Committee engaged in a dialogue with the above-mentioned speakers, in which the delegations of Italy (on behalf of the States Members of the United Nations that are members of the European Union), Switzerland, Afghanistan, Mexico, the Sudan, the Syrian Arab Republic, Myanmar, Azerbaijan, Cuba and Kuwait took part (see A/C.3/58/SR.16).

6. At the 18th meeting, on 20 October, the Special Representative of the Secretary-General for Children and Armed Conflict presented his report to the Committee (see A/C.3/58/SR.18).

7. At the same meeting, the Committee engaged in a dialogue with the Special Representative, in which the delegations of Italy (on behalf of the States Members of the United Nations that are members of the European Union), the Syrian Arab Republic, the Sudan, Uganda, Cuba, Egypt, the Libyan Arab Jamahiriya, Switzerland, Slovenia, Benin, Mexico, Pakistan, Azerbaijan, Canada, Lebanon and Mali took part (see A/C.3/58/SR.18).

II. Consideration of proposals

A. Draft resolution A/C.3/58/L.23 and Rev.1 and amendments contained in document A/C.3/58/L.83

8. At the 26th meeting, on 28 October, the representative of Benin, on behalf of Afghanistan, Algeria, Azerbaijan, Benin, Burkina Faso, Burundi, Cape Verde, the Central African Republic, China, the Congo, Côte d'Ivoire, the Dominican Republic, Egypt, Gabon, Guinea, Malawi, the Niger, Nigeria, Pakistan and Senegal, introduced a draft resolution entitled "Importance of the guidance and role of parents in the care, control and development of their children" (A/C.3/58/L.23). Subsequently, Cameroon, Dominica, Eritrea, Haiti, Madagascar, Qatar and Sierra Leone joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Recalling* the Convention on the Rights of the Child,

"*Recalling also* the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the

1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,

"*Recalling further* the Declaration and Plan of Action adopted by the General Assembly at its twenty-seventh special session,

"*Reaffirming* the vital role played by parents in the life of their children,

"*Recognizing* the need for policies that support and reinforce the conditions that facilitate the effective exercise of the rights, duties and responsibilities of parents, legal guardians and other care givers,

"*Recognizing also* that a considerable number of children live without parental support, such as orphans, street children, internally displaced and refugee children and children affected by trafficking and sexual and economic exploitation,

"*Aware that* families are affected by social and economic changes manifested as observable worldwide trends and that the causes and consequences of those trends concerning families life directly affect children,

"*Reaffirming* the resolve of heads of State and Government, as contained in the United Nations Millennium Declaration,3 to develop and implement strategies that give young people everywhere a real chance to find decent and productive work,

"*Recalling* that Member States resolved in the United Nations Millennium Declaration to ensure that, by the year 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education, which requires a renewed commitment to promote literacy for all,

"*Concerned* that the practice of early initiation of sex and sexual partnership among children constitutes, frequently, the basis for adverse and serious consequences, including, inter alia, stigmatization and violence against girls, which result in physical, sexual or psychological harm or suffering to and serious crimes such as murder, rape and early and forced pregnancy against them,

"*Gravely concerned* that drug problems, despite increasing efforts by States, relevant international organizations, civil society and non-governmental organizations, are still a challenge of global dimension which constitutes a serious threat to the health, safety and well-being of all mankind, in particular young people,

"*Noting with grave concern* the rapid and widespread increase, and the involvement of minors, in the illicit production of, trafficking in and consumption of narcotic drugs and psychotropic substances, including amphetamine-type stimulants and other sorts of synthetic drugs, as well as in the number of children and young people starting to use drugs at an earlier age and having access to substances not previously used,

"*Aware* that the well-being of children is of vital importance to all people of all nations,

"*Noting* that the family-related provisions of the outcomes of the United Nations summits and conferences of the 1990s and their follow-up processes continue to provide policy guidance on ways to strengthen family-centred components of policies and programmes as part of an integrated comprehensive approach to development,

"1. *Recognizes* the unique duty and ab''ity of parents to guide children properly, raise them in a healthy environment, impart to them a sense of duty, integrity, responsibility, civic-mindedness, compassion and service towards others, to help strengthen families, communities and nations of the world;

"2. *Encourages* parents and legal guardians to the best of their ability to instil confidence and a sense of purpose in their children to draw out their talents and abilities and to encourage them to reach their full potential;

"3. *Encourages* parents to remain aware of the need for gender equality in raising their children, so to ensure a just and equitable world for girls;

"4. *Reaffirms* the respect for the liberty of parents, and when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own conviction;

"5. *Invites* parents and legal guardians with first responsibility for children and Governments to fight against traffic in children, their prostitution and their enrolment as soldiers in conflict;

"6. *Recognizes* that Governments bear an important responsibility for the welfare and development of all children, particularly dependent, abandoned or neglected children, which includes the provision of excellent schools and educational programmes that leave no child behind;

"7. *Urges* all Governments to increase support and protection to parents through the provision of safety nets and social protection measures to enable them to better care for their families;

"8. *Calls* for special measures to support the considerable number of children who live without parental support and those who are rescued from trafficking;

"9. *Invites* all Governments to disseminate relevant information, including outcome documents of summits and conferences related to the well-being of children, in order to raise parents' awareness and to help improve parenting practices;

"10. *Decides* that 6 February each year shall be recognized as Parents Day, calls this observance to the attention of the citizens of all nations, and encourages parents to maintain focus on doing even better for their children and to rededicate themselves to providing them the greatest magnitude of love and support they need to become happy, healthy and productive citizens of our communities, nations and the world;

"11. *Encourages* all Governments, communities, citizens, religious, academic, media, cultural and civic leaders to recognize Parents Day through proclamations, activities and educational efforts in furtherance of recognizing, raising and supporting the central role of parents in creating better societies, for now and the future;

"12. *Decides* to include in the agenda of its fifty-ninth session, under the item entitled 'Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family' a sub-item entitled 'Parents';

"13. *Requests* the Secretary-General, in his report to the General Assembly at its fifty-ninth session on social groups, to devote attention to the implementation of the present resolution."

9. At the same meeting, the representative of Benin made a statement with regard to the draft resolution, to which the Secretary of the Committee provided a clarification (see A/C.3/58/SR.26).

10. Also at the 26th meeting, the representative of Benin orally revised the draft resolution. The revisions were incorporated into a revised text of the draft resolution (A/C.3/58/L.23/Rev.1), entitled "Importance of the role of parents in the care, development and well-being of children", submitted by the sponsors of draft resolution A/C.3/58/L.23 and the Democratic Republic of the Congo, Lesotho and Swaziland. Subsequently, Bangladesh, Myanmar and the United States of America joined in sponsoring the revised draft resolution, which read:

"*The General Assembly*,

"*Recalling* the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child,

"*Also recalling* all its previous resolutions on the rights of the child, the most recent of which is resolution 57/190 of 18 December 2002, and taking note of Commission on Human Rights resolution 2003/86 of 25 April 2003,

"*Acknowledging* the role of parents in the family and the shared responsibilities of parents in the upbringing of children,

"*Convinced* that equal rights, opportunities and access to resources, equal sharing of responsibilities for the family between men and women and a harmonious partnership between them are critical to their well-being and that of their families as well as to the consolidation of democracy,

"*Recognizing* the need for policies that support and reinforce conditions that facilitate the effective exercise of the rights, duties and responsibilities of parents, legal guardians and other caregivers, in a manner consistent with the evolving capacities of the child, and provide appropriate direction and guidance in the exercise by the child of his or her rights,

"*Recognizing also* that a considerable number of children live without parental support, including children orphaned by HIV/AIDS, children working and/or living on the street, internally displaced and refugee children and children affected by trafficking and sexual and economic exploitation,

"*Further recognizing* that hundreds of millions of children suffer from war, violence, exploitation, neglect and all forms of abuse and discrimination and that around the world children live under especially difficult circumstances,

"*Reaffirming* the need to ensure that all social and economic development policies are fully responsive to the diverse and changing needs of families and their individual members and to provide necessary support to the most vulnerable families and most vulnerable family members,

"*Noting* that the family-related provisions of the outcomes of the United Nations summits and conferences of the 1990s and their follow-up processes continue to provide policy guidance on ways to strengthen family-centred components of policies and programmes as part of an integrated comprehensive approach to development,

"*Aware* that the well-being of children is of vital importance to all peoples of all nations,

"1. *Recognizes* the unique duty and ability of parents to guide children properly, raise them in a healthy environment and impart to them a sense of duty, integrity, responsibility, civic-mindedness, compassion and service towards others in order to help strengthen families, communities and nations of the world;

"2. *Reaffirms* that parents have the right to choose the kind of education given to their children;

"3. *Encourages* parents and legal guardians to ensure, to the best of their ability, that the education of the child be directed to:

"(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

"(b) The development of respect for human rights and fundamental freedoms and the principles enshrined in the Charter of the United Nations;

"(c) The development of respect for the child's parents, his or her own cultural identity, languages and values, the national values of the country in which the child is living, the country from which he or she may originate and for civilizations different from his or her own;

"(d) The preparation of the child for a responsible life in a free society, in the spirit of understanding, peace, tolerance, equality between the sexes and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

"(e) The development of respect for the natural environment;

"4. *Reaffirms* its respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions;

"5. *Acknowledges* the duty of States to refrain from any discrimination between parents on the basis of gender, nationality or any other grounds;

"6. *Urges* all Governments to render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and to ensure the development of institutions, facilities and services for the care of children;

"7. *Reaffirms* that maternity, motherhood, parenting and the role of women in procreation must not be a basis for discrimination nor should it restrict the full participation of women in society, and recognizes the important role often played by women in many countries in caring for other members of their family;

"8. *Also reaffirms* that States should take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible and the obligation of States to encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life;

"9. *Urges* States to:

"(a) Use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child, that they, or the legal guardians, have the primary responsibility for the upbringing and development of the child and that the best interests of the child shall be their basic concern;

"(b) Respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except in cases where it is contrary to the child's best interest;

"(c) Ensure that the child shall not be involuntarily separated from his or her parents, except in cases where competent authorities subject to judicial review determine, in accordance with applicable laws and procedures, that such separation is necessary for the best interests of the child, and that in any such proceedings, all interested parties shall be given an opportunity to participate in the proceedings and make their views known;

"10. *Calls upon* States to take special measures to support children living without parental support, including orphans, children working and/or living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation and children who are incarcerated, as well as the institutions, facilities and services that care for them;

"11. *Also calls upon* States to assist single-parent families and to pay special attention to the needs of widows and orphans in order to assist the building of family-like ties, particularly in difficult circumstances;

"12. *Requests* the Secretary-General to incorporate parent-related activities into the United Nations celebration of the International Day of Families on 15 May;

"13. *Also requests* the Secretary-General, while elaborating his report on 'Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family', at the fifty-ninth session of the General Assembly, to devote attention to the implementation of the present resolution."

11. At the 56th meeting, on 24 November, the representative of New Zealand, on behalf of Argentina, Brazil, Canada, Chile, the Czech Republic, Ecuador,

El Salvador, Fiji, Guatemala, Liechtenstein, Mexico, New Zealand, Norway, Paraguay, Peru, Switzerland and Uruguay, introduced amendments (A/C.3/58/L.83) to the revised draft resolution, by which:

(a) The title of the draft resolution would read:

"Importance of the role of parents, legal guardians and other caregivers in the promotion and protection of the rights of the child and the care, development and well-being of children",

(b) The first preambular paragraph would be replaced by:

"*Reaffirming* the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women";

(c) Two new preambular paragraphs would be inserted following the first preambular paragraph, reading:

"*Bearing in mind* the Convention on the Rights of the Child, emphasizing that the provisions of the Convention and other relevant human rights instruments must constitute the standard in the promotion and protection of the rights of the child, and reaffirming that the best interests of the child shall be a primary consideration in all actions concerning children,

"*Recognizing* that the family is the basic unit of society and as such should be strengthened; that it is entitled to receive comprehensive protection and support; that the primary responsibility for the protection, upbringing and development of children rests with the family; that all institutions of society should respect children's rights and secure their well-being and render appropriate assistance to parents, families, legal guardians and other caregivers so that children can grow and develop in a safe and stable environment and in an atmosphere of happiness, love and understanding, bearing in mind that in different cultural, social, and political systems various forms of the family exist";

(d) Operative paragraph 1 would be replaced by:

"1. *Reaffirming* that States shall respect the responsibilities, rights and duties of parents, and, where applicable, members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of his or her rights";

(e) A new operative paragraph would be inserted following operative paragraph 1, reading:

"*Reaffirms* the right of the child to education";

(f) Operative paragraph 4 would be replaced by:

"4. *Reaffirms* the right of the child to freedom of thought, conscience and religion, as well as the rights and duties of the parents and, when applicable, legal guardians to provide direction to the child in the exercise of

his or her right in a manner consistent with the evolving capacities of the child".

12. At the same meeting, the representative of Benin made a statement (see A/C.3/58/SR.56).

13. At the 59th meeting, on 28 November, the representative of Benin made a statement (see A/C.3/58/SR.59), in the course of which she revised operative paragraph 2 of draft resolution A/C.3/58/L.23/Rev.1 by inserting the word "prior" before the words "right to choose"; she also requested a recorded vote on the amendments contained in document A/C.3/58/L.83. The representative of Benin announced that Algeria, Cape Verde, Malawi and Swaziland had withdrawn as sponsors of the revised draft resolution; Lesotho also withdrew as a sponsor of the revised draft resolution.

14. At the same meeting, the representative of New Zealand made a statement (see A/C.3/58/SR.59).

15. Also at the 59th meeting, the Committee accepted the first amendment contained in document A/C.3/58/L.83 (see para. 11 (a) above) by a recorded vote of 72 to 54, with 25 abstentions. The voting was as follows:[1]

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against:

Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, China, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Dominica, Egypt, Eritrea, Gabon, Ghana, Guinea-Bissau, Haiti, Indonesia, Iran (Islamic Republic of), Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mauritius, Morocco, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sudan, Syrian Arab Republic, Togo, United Arab Emirates, United Republic of Tanzania, United States of America, Yemen, Zambia, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Armenia, Barbados, Belize, Bhutan, Botswana, Ethiopia, Guyana, Honduras, India, Israel, Jamaica, Kuwait, Lebanon,

[1] The delegation of Guinea subsequently indicated that, had it been present during the vote, it would have voted against the amendment.

Maldives, Mali, Mongolia, Mozambique, Saint Lucia, South Africa, Suriname, Swaziland, Uganda, Viet Nam.

16. Before the vote on the amendment, statements were made by the representatives of the United States of America, Egypt, Guinea-Bissau, Benin, Chile, Switzerland, Guatemala, Fiji, El Salvador, Sierra Leone, Nepal, Egypt, the Sudan and the Islamic Republic of Iran; after the vote on the amendment, the representative of Benin made a statement (see A/C.3/58/SR.59).

17. The Committee then accepted the remaining amendments, as revised (see paras. 11 (b)-(f) above), by a recorded vote of 77 to 48, with 26 abstentions. The voting was as follows:[2]

In favour:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against:

Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, China, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Dominica, Egypt, Eritrea, Gabon, Guinea-Bissau, Haiti, Indonesia, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Morocco, Myanmar, Niger, Nigeria, Oman, Pakistan, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Sudan, Syrian Arab Republic, Togo, United Arab Emirates, United States of America, Yemen, Zambia, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Barbados, Belarus, Belize, Botswana, Ethiopia, Ghana, Guyana, India, Israel, Jamaica, Lesotho, Malawi, Mali, Mauritius, Mozambique, Namibia, Saint Lucia, Singapore, South Africa, Suriname, Swaziland, Uganda, United Republic of Tanzania, Viet Nam.

18. Azerbaijan, Bangladesh, Burkina Faso, Burundi, Cameroon, China, the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Dominica, Egypt, Eritrea, Gabon, Guinea, Haiti, Madagascar, Myanmar, the Niger, Nigeria, Pakistan, Qatar, Senegal, Sierra Leone and the United States of America withdrew as sponsors of the draft resolution, as amended.

[2] The delegation of Guinea subsequently indicated that, had it been present during the vote, it would have voted against the amendments.

19. After the vote on the amendments, statements were made by the representatives of the United Republic of Tanzania, the Syrian Arab Republic, the Libyan Arab Jamahiriya, Lebanon, Sierra Leone, Zambia, Zimbabwe, Guinea-Bissau and Rwanda (see A/C.3/58/SR.59).

20. A procedural discussion followed in which statements were made by the representatives of the United States of America, Egypt, Pakistan, El Salvador, Sierra Leone, Guinea-Bissau, Benin, Fiji, Myanmar, Italy, Malaysia, Costa Rica, Trinidad and Tobago and Mexico (see A/C.3/58/SR.59).

21. The representative of Egypt moved that no action be taken on draft resolution A/C.3/58/L.23/Rev.1, as amended.

22. Procedural points were raised by the representatives of Benin, Sierra Leone, Pakistan, New Zealand and the Syrian Arab Republic (see A/C.3/58/SR.59).

23. Following a ruling by the Chairman, the Committee voted on the motion to take no action on the draft resolution, as amended. The motion was carried by a recorded vote of 66 to 63, with 13 abstentions. The voting was as follows:[3]

In favour:

Afghanistan, Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Chile, China, Colombia, Congo, Côte d'Ivoire, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mauritius, Morocco, Myanmar, Namibia, Niger, Nigeria, Oman, Pakistan, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sudan, Suriname, Swaziland, Togo, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Mongolia, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Abstaining:

Armenia, Belarus, Belize, Bolivia, Botswana, Jamaica, Mexico, Mozambique, Nicaragua, Russian Federation, Saint Lucia, South Africa, Uganda.

[3] The delegation of Syrian Arab Republic subsequently indicated that it had intended to vote in favour of the motion and not against.

24. After the vote on the motion, statements were made by the representatives of Benin, Fiji, Sierra Leone, Nepal and the Sudan (see A/C.3/58/SR.59).

25. At the 60th meeting, on 28 November, the representative of Benin made a statement (see A/C.3/58/SR.60).

26. At the 62nd meeting, on 1 December, statements were made by the representatives of Benin and Nepal; the Chairman responded to points raised (see A/C.3/58/SR.62).

B. Draft resolution A/C.3/58/L.24

27. At the 26th meeting, on 28 October, the representative of Egypt, on behalf of Bahrain, Djibouti, Egypt, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Morocco, Qatar, the United Arab Emirates, Yemen and Palestine, introduced a draft resolution entitled "Situation of and assistance to Palestinian children" (A/C.3/58/L.24). Subsequently, Algeria, Bangladesh, Cuba, Indonesia, Malaysia, Namibia, Nigeria, Oman, Saudi Arabia, Senegal, South Africa and the Sudan joined in sponsoring the draft resolution.

28. At its 34th meeting, on 6 November, the Committee was advised that the draft resolution had no programme budget implications.

29. At the same meeting, the representative of Egypt orally revised the draft resolution by inserting a new preambular paragraph after the fifth preambular paragraph, reading:

> "*Emphasizing* the importance of the safety and well-being of all children in the whole Middle East region".

30. Afghanistan, Barbados, Belize, Benin, Brunei Darussalam, Burkina Faso, China, the Democratic Republic of the Congo, the Islamic Republic of Iran, Malawi, the Niger, Pakistan, Togo, Tunisia and Zimbabwe joined in sponsoring the draft resolution, as orally revised.

31. Also at the 34th meeting, the Committee adopted draft resolution A/C.3/58/L.24, as orally revised, by a recorded vote of 88 to 4, with 58 abstentions (see para. 65, draft resolution I). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Ecuador, Egypt, Gambia, Ghana, Grenada, Guinea-Bissau, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia,

Turkey, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), United States of America.

Abstaining:

Albania, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Central African Republic, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

32. Before the adoption of the draft resolution, statements were made by the representatives of the United States of America, Croatia, Israel and Canada; after the adoption of the draft resolution, statements were made by the representatives of Italy (on behalf of the States Members of the United Nations that are members of the European Union), the Russian Federation, Norway, Switzerland, Egypt and the observer for Palestine (see A/C.3/58/SR.34).

C. Draft resolution A/C.3/58/L.25/Rev.1

33. At the 36th meeting, on 7 November, the representative of Namibia, on behalf of Algeria, Angola, Azerbaijan, Bangladesh, Benin, Botswana, Burkina Faso, Cameroon, Cape Verde, the Central African Republic, China, Cuba, the Democratic Republic of the Congo, Djibouti, Ethiopia, Fiji, Ghana, Iceland, Lesotho, Madagascar, Malawi, Mauritius, Mexico, Mozambique, Namibia, Nigeria, Norway, Panama, Peru, the Philippines, Rwanda, Senegal, Seychelles, South Africa, Swaziland, Thailand, Tunisia, Uganda, the United Republic of Tanzania, Venezuela, Zambia and Zimbabwe, introduced a draft resolution entitled "The girl child" (A/C.3/58/L.25/Rev.1). Subsequently, Albania, Andorra, Antigua and Barbuda, Armenia, Barbados, Belarus, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Canada, Chile, Colombia, the Congo, Costa Rica, Côte d'Ivoire, Cyprus, the Czech Republic, the Dominican Republic, Ecuador, El Salvador, Estonia, France, Georgia, Guatemala, Guinea, Indonesia, Israel, Jamaica Japan, Kenya, Latvia, Malaysia, Malta, Monaco, Mongolia, New Zealand, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo and Turkey joined in sponsoring the draft resolution.

34. At the 58th meeting, on 26 November, the Committee was informed that the draft resolution had no programme budget implications.

35. At the same meeting, the representative of Namibia orally revised operative paragraph 16 of the draft resolution by deleting, at the end of the paragraph, the phrase "and requests contributing countries to incorporate the six core principles of

the Inter-Agency Standing Committee on Emergencies into pertinent codes of conduct for peacekeeping personnel and to develop appropriate disciplinary and accountability mechanisms".

36. Australia, Austria, Belgium, Croatia, Denmark, Finland, Germany, Greece, Hungary, Ireland, Italy, Liechtenstein, Lithuania, Luxembourg, Nauru, Nepal, the Netherlands, Paraguay, Poland, Portugal, Slovenia, Spain, Sweden, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay joined in sponsoring the draft resolution, as orally revised.

37. Also at the 58th meeting, the representative of the United States of America proposed amendments to operative paragraph 1 of the draft resolution, by which the words "all human rights instruments" would be replaced by the words "applicable human rights instruments" and the words "as well as the need for universal ratification of those instruments" would be replaced by the words "and invites States to consider ratification of those instruments as well as their Optional Protocols".

38. The representative of Namibia made a statement and requested a vote on the amendments proposed by the United States of America (see A/C.3/58/SR.58).

39. The amendments were rejected by a recorded vote of 145 to 3, with 6 abstentions. The voting was as follows:

In favour:

Colombia, Singapore, United States of America.

Against:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Abstaining:

Georgia, Haiti, Honduras, Israel, Papua New Guinea, Uganda.

40. At the same meeting, the Committee adopted draft resolution A/C.3/58/L.25/Rev.1, as orally revised, without a vote (see para. 65, draft resolution II).

D. Draft resolution A/C.3/58/L.28

41. At the 27th meeting, on 29 October, the representative of Gabon, on behalf of Gabon, Mozambique and Sierra Leone, introduced a draft resolution entitled "Office of the Special Representative for Children and Armed Conflict" (A/C.3/58/L.28). Subsequently, Benin, Burkina Faso, Cameroon, Colombia, the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Egypt, Ethiopia, the Gambia, Guinea-Bissau, Kenya, Malawi, Malaysia, Mali, Mauritania, the Niger, Nigeria, Rwanda, the Sudan, Swaziland, the Syrian Arab Republic and the United Republic of Tanzania joined in sponsoring the draft resolution.

42. At its 58th meeting, on 26 November, the Committee had before it a statement of programme budget implications with respect to draft resolution A/C.3/58/L.28, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.3/58/L.84).

43. At the same meeting, statements were made by the representatives of Gabon, Guinea-Bissau, Sierra Leone, Egypt, the Sudan, the Syrian Arab Republic, Pakistan, China, Kenya, Burkina Faso and Malaysia, as well as by the representative of the Office of Programme Planning, Budget and Accounts, who also responded to questions raised (see A/C.3/58/SR.58).

44. The representative of Gabon orally revised the draft resolution as follows:

(a) At the end of the first preambular paragraph, the word "created" was replaced by the word "established";

(b) A new preambular paragraph was inserted after the first preambular paragraph, reading:

> "*Recalling* its resolution 57/190 of 18 December 2002, in which it requested the Secretary-General to undertake a comprehensive assessment of the scope and effectiveness of the United Nation system response to the issue of children affected by armed conflict, including recommendations for strengthening, mainstreaming, integrating and sustaining those activities";

(c) At the beginning of the third preambular paragraph, the word "*Appreciating*" was replaced by the words "*Taking note* of" and the words "on 20 October 2003" were added at the end of the paragraph;

(d) Two new preambular paragraphs were inserted after the fourth preambular paragraph, reading:

> "*Recognizing* the progress achieved since the establishment of the mandate of the Special Representative, and the recommendation by which the Secretary-General extended the mandate of the Special Representative for Children and Armed Conflict for a further period of three years,
>
> "*Commending* the support for and the voluntary contributions by donor countries to the work of the Special Representative in the fulfilment of his mandate";

(e) At the beginning of the operative paragraph, the word "*Recommends*" was replaced by the word "*Decides*".

45. Also at the 58th meeting, statements were made by the representatives of Switzerland, Sierra Leone, Chile, Costa Rica, the Sudan, Pakistan, Mali, Liechtenstein, the United States of America, Canada, Australia, Malaysia, the Dominican Republic, Indonesia, Egypt, Guinea-Bissau and the Syrian Arab Republic (see A/C.3/58/SR.58).

46. At the 59th meeting, on 28 November, the representative of the Office of Programme Planning, Budget and Accounts advised the Committee that the programme budget implications set out in document A/C.3/58/L.84 also applied to the oral revisions made to the draft resolution.

47. At the same meeting, the Committee adopted draft resolution A/C.3/58/L.28, as orally revised, by a recorded vote of 106 to 21, with 29 abstentions (see para. 65, draft resolution III). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, France, Gabon, Ghana, Guatemala, Guinea-Bissau, Guyana, Haiti, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Samoa, Saudi Arabia, Sierra Leone, Singapore, Slovenia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Belgium, Bosnia and Herzegovina, Canada, Denmark, Finland, Georgia, Germany, Iceland, Israel, Japan, Lithuania, Luxembourg, Netherlands, Poland, Republic of Moldova, Romania, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Andorra, Argentina, Bahamas, Belarus, Brazil, Bulgaria, Burundi, Croatia, Czech Republic, Estonia, Hungary, India, Mongolia, New Zealand, Norway, Panama, Paraguay, Portugal, Republic of Korea, San Marino, Serbia and Montenegro, Slovakia, Spain, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Uruguay, Venezuela.

48. Before the adoption of the draft resolution, statements were made by the representatives of Indonesia, Gabon, Guinea-Bissau, Nigeria, the United Kingdom of Great Britain and Northern Ireland (also on behalf of Belgium, Denmark, Finland,

Germany, Luxembourg, the Netherlands, Poland and Sweden), the United States of America, Japan, Uganda, Canada, Mexico and Switzerland; after its adoption, statements were made by the representatives of Norway, Venezuela, Liechtenstein, Portugal, Slovenia and Gabon (see A/C.3/58/SR.59).

E. Draft resolution A/C.3/58/L.29 and Rev.1

49. At the 32nd meeting, on 4 November, the representative of Italy, on behalf of Antigua and Barbuda, Argentina, Austria, Barbados, Belgium, Brazil, Chile, Colombia, Costa Rica, Cuba, Cyprus, the Czech Republic, Denmark, Dominica, the Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Ireland, Italy, Jamaica, Latvia, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Romania, Saint Kitts and Nevis, Slovakia, Slovenia, Spain, Suriname, Sweden, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela, introduced a draft resolution entitled "Rights of the child" (A/C.3/58/L.29). Subsequently, Belarus, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Cameroon, the Central African Republic, the Congo, Côte d'Ivoire, Croatia, the Democratic Republic of the Congo, Ghana, Iceland, Malawi, Monaco, Mozambique, the Niger, South Africa, Swaziland, Tunisia, Turkey, Ukraine and Viet Nam joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Recalling* its previous resolutions on the rights of the child, the most recent of which is resolution 57/190 of 18 December 2002, and Commission on Human Rights resolution 2003/86 of 25 April 2003,

"*Emphasizing* that the Convention on the Rights of the Child must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of its Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, as well as other relevant human rights instruments,

"*Reaffirming* that the general principles of the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children,

"*Reaffirming also* the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for the Implementation of the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990, the United Nations Millennium Declaration and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

"*Reaffirming further* the outcome document of the special session of the General Assembly on children entitled 'A world fit for children', and the commitments contained therein to promote and protect the rights of the child — every human being below the age of 18 years, including adolescents,

and the integration of child rights issues into the outcome documents of all major United Nations conferences, special sessions and summits,

"*Reaffirming* the essential roles of the General Assembly, the Economic and Social Council and the Commission on Human Rights, in promoting and protecting the rights and welfare of children, and noting the importance of the debates held by the Security Council on children and armed conflict, of Council resolutions 1379 (2001) of 20 November 2001 and 1460 (2003) of 30 January 2003 and of the undertaking by the Council to give special attention to the protection, welfare and rights of children in armed conflict when taking action aimed at maintaining peace and security, including provisions for the protection of children in the mandates of peacekeeping operations, as well as the inclusion of child protection advisers in these operations,

"*Welcoming* the reports of the Secretary-General on the status of the Convention on the Rights of the Child and on progress achieved in realizing the commitments of the document entitled 'A world fit for children', and the report of the Special Representative of the Secretary-General for Children and Armed Conflict,

"*Welcoming also* the work of the Committee on the Rights of the Child in examining the progress made by States parties to the Convention in implementing the obligations undertaken in the Convention and in providing recommendations to States parties on its implementation and, in cooperation with the Office of the United Nations High Commissioner for Human Rights, in enhancing awareness of the principles and provisions of the Convention, and taking note of the general comment No. 4 (2003) on adolescent health and development and of the conclusions of the general discussion of the Committee on the rights of indigenous children held on 19 September 2003,

"*Welcoming further* the entry into force of the amendment to article 43, paragraph 2, of the Convention allowing for the increase of the membership of the Committee on the Rights of the Child from ten to eighteen,

"*Welcoming* the appointment by the Secretary-General of the independent expert for the United Nations study on violence against children,

"*Profoundly concerned* that the situation of children in many parts of the world remains critical as a result of the persistence of poverty, social inequality, inadequate social and economic conditions in an increasingly globalized economic environment, pandemics, in particular human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), malaria, tuberculosis, environmental damage, natural disasters, armed conflict, displacement, exploitation, illiteracy, hunger, intolerance, discrimination, including gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

"*Bearing in mind* the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001-2010, and recalling the Declaration and Programme of Action on a Culture of Peace, which serve as the basis for the Decade,

"*Recognizing* that the family is the basic unit of society and as such should be strengthened, that it is entitled to receive comprehensive protection and support, that the primary responsibility for the protection, upbringing and development of children rests with the family, and that all institutions of society should respect the rights of the child and secure his or her well-being and render appropriate assistance to parents, families, legal guardians and other caregivers so that children can grow and develop in a safe and stable environment and in an atmosphere of happiness, love and understanding, bearing in mind that in different cultural, social and political systems, various forms of family exist,

"*Recognizing also* that partnership among Governments, international organizations and relevant organs and organizations of the United Nations system, in particular the United Nations Children's Fund, and all actors of civil society, including non-governmental organizations, as well as the private sector, is important to realize the rights of the child,

"*Underlining* the need for mainstreaming a gender perspective in all policies and programmes relating to children,

"Implementation of the Convention on the Rights of the Child and its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography

"1. *Urges* States that have not yet done so to sign and ratify or accede to the Convention on the Rights of the Child as a matter of priority, and urges States parties to implement it fully, while stressing that the implementation of the Convention contributes to the achievement of the goals of the World Summit for Children and the special session of the General Assembly on children;

"2. *Expresses its concern* at the great number of reservations to the Convention, and urges States parties to withdraw reservations incompatible with the object and purpose of the Convention and to review other reservations with a view to withdrawing them;

"3. *Urges* States that have not yet done so to consider signing and ratifying or acceding to the Optional Protocols to the Convention on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, and urges States parties to implement them fully;

"4. *Calls upon* States parties to implement the Convention fully and to ensure that the rights set forth in the Convention are respected without discrimination of any kind and that the best interests of the child are a primary consideration in all actions concerning children, to recognize the child's inherent right to life and that the child's survival and development are ensured to the maximum extent possible, and that the child is able to express his or her views freely in all opinions on matters affecting him or her and that these views are listened to and given due weight in accordance with his or her age and maturity;

"5. *Urges* States parties to take all appropriate measures for the implementation of the rights recognized in the Convention, bearing in mind article 4 of the Convention, by:

"(a) Putting in place effective national legislation, policies and action plans and by strengthening relevant governmental structures for children, including, where appropriate, ministers in charge of child issues and independent commissioners for the rights of the child;

"(b) Ensuring adequate and systematic training in the rights of the child for professional groups working with and for children, including specialized judges, law enforcement officials, lawyers, social workers, medical doctors, health professionals and teachers, and of coordination among various governmental bodies involved in children's rights, and encourages States and relevant bodies and organizations of the United Nations system to continue to promote education and training in this regard;

"6. *Encourages* all States:

"(a) To strengthen their national statistical capacities and to use disaggregated statistics, inter alia, disaggregated by age, gender and other relevant factors that may lead to disparities, and other statistical indicators at the national, subregional, regional and international levels in order to develop and assess social policies and programmes so that economic and social resources are used efficiently and effectively for the full realization of the rights of the child;

"(b) To strengthen their partnership with United Nations organs, within their respective mandates, the Bretton Woods institutions and other multilateral agencies, as well as other relevant actors;

"7. *Calls upon* States parties:

"(a) To ensure that the members of the Committee on the Rights of the Child are of high moral standing and recognized competence in the field covered by the Convention, serving in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems;

"(b) To strengthen their cooperation with the Committee and to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, as well as to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;

"8. *Calls upon* all States and relevant actors concerned to continue to cooperate with the special rapporteurs and special representatives of the United Nations system in the implementation of their mandates, requests the Secretary-General to provide them with appropriate staff and facilities from the United Nations regular budget, when this is in accordance with their respective mandates, invites States to continue to make voluntary contributions, where appropriate, and urges all relevant parts of the United Nations system to provide them with comprehensive reporting to make possible the full discharge of their mandates;

"9. *Calls upon* all States to end impunity for perpetrators of crimes committed against children, and recognizes in this regard the contribution of the establishment of the International Criminal Court, as a way to prevent violations of human rights and international humanitarian law, in particular when children are victims of serious crimes, including the crime of genocide, crimes against humanity and war crimes, to bring perpetrators of such crimes to justice and not to grant amnesties for these crimes;

"10. *Stresses* that the achievement of the goals of the World Summit for Children and the special session of the General Assembly on children will contribute to the implementation of the Convention;

"11. *Requests* all relevant organs of the United Nations system, the Office of the United Nations High Commissioner for Human Rights and United Nations mechanisms regularly and systematically to incorporate a strong child rights perspective throughout all activities in the fulfilment of their mandates, as well as to ensure that their staff is trained in child protection matters, and calls upon States to cooperate closely with them;

"12. *Encourages* Governments and relevant United Nations bodies, as well as relevant non-governmental organizations and child rights advocates, to continue to contribute, as appropriate, to the web-based database launched by the United Nations Children's Fund so as to continue the provision of information on laws, structures, policies and processes adopted at the national level to translate the Convention into practice, and in this regard commends that body for its work to disseminate lessons learned in the implementation of the Convention;

Promoting and protecting the rights of children and non-discrimination against children, including children in particularly difficult situations

"*Identity, family relations and birth registration*

"13. *Calls upon* all States to intensify efforts to ensure the registration of all children immediately after birth, including through the consideration of simplified, expeditious and effective procedures;

"14. *Also calls upon* all States to undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law, without unlawful interference and, where a child is illegally deprived of some or all of the elements of his or her identity, to provide appropriate assistance and protection with a view to re-establishing speedily his or her identity;

"15. *Urges* all States to ensure, as far as possible, the right of the child to know and be cared for by his or her parents;

"16. *Also urges* all States to ensure that a child shall not be separated from his or her parents against their will, except when the competent authorities, subject to judicial review, determine, in accordance with applicable law and procedures, that such separation is necessary in the best interest of the child, and, where alternative care is necessary, to promote family and community-based care in preference to placement in institutions, recognizing that such determination may be necessary in a particular case, such as one

involving abuse or neglect of the child by the parents or one in which the parents are living separately and a decision must be made as to the child's place of residence;

"17. *Calls upon* States to take all necessary measures to ensure that the best interest of the child is the primary consideration in adoptions of children and to take all necessary measures to prevent and combat illegal adoptions and adoptions that do not follow the normal procedures;

"18. *Also calls upon* States to take all necessary measures to address the problem of children growing up without parents, in particular orphaned children and children who are victims of family and social violence, neglect and abuse;

"19. *Urges* States to address cases of international kidnapping of children by one of the parents;

"*Poverty*

"20. *Reaffirms* that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

"21. *Calls upon* States and the international community to cooperate, support and participate in the global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all of these levels, in order to ensure that all the development and poverty reduction goals, as set out in the United Nations Millennium Declaration, are realized within their time framework, and to promote the enjoyment of the rights of the child;

"*Health*

"22. *Calls upon* all States to take all appropriate measures to develop sustainable health systems and social services and to ensure access to such systems and services without discrimination, and to pay particular attention to adequate food and nutrition to prevent disease and malnutrition, to prenatal and post-natal health care, to special needs of adolescents, to reproductive and sexual health and to threats from substance abuse and violence, in particular to all vulnerable groups, and calls upon all States parties to take all necessary measures to ensure the right of all children, without discrimination, to the enjoyment of the highest attainable standard of health;

"23. *Also calls upon* all States to give support and rehabilitation to children and their families affected by HIV/AIDS and to involve children and their caregivers, as well as the private sector, to ensure the effective prevention of HIV infections through correct information and access to voluntary and confidential care, treatment and testing, including pharmaceutical products and medical technologies, affordable to all, giving due importance to the prevention of mother-to-child transmission of the virus;

"*Education*

"24. *Calls upon* all States:

"(a) To recognize the right to education on the basis of equal opportunity by making primary education free and compulsory for all, without discrimination and ensuring that all children, including girls, children in need of special protection, children with disabilities, indigenous children, children belonging to minorities and children from different ethnic origins, have access without discrimination to education of good quality, as well as making secondary education generally available and accessible for all, in particular by the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and that the education of the child is carried out and that States parties develop and implement programmes for the education of the child in accordance with articles 28 and 29 of the Convention;

"(b) To develop national plans of action, or to strengthen existing ones, in order to achieve the objectives of Education for All so as to ensure that all boys and girls complete a full course of primary schooling;

"(c) To design and implement programmes to provide social services and support to pregnant adolescents and adolescent mothers, in particular to enable them to continue and complete their education;

"(d) To take all appropriate measures to prevent racism and discriminatory and xenophobic attitudes and behaviour through education, keeping in mind the important role that children play in changing these practices;

"(e) To ensure that children, from an early age, benefit from education and from participation in activities that develop respect for human rights and emphasize the practice of non-violence, with the aim of instilling in them the values and goals of a culture of peace, and invites States to develop national strategies for human rights education that are comprehensive, participatory and effective;

"(f) To ensure that education programmes and materials reflect fully the promotion and protection of human rights and values of peace, tolerance and gender equality, using every opportunity presented by the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001-2010;

"(g) To harness the rapidly evolving information and communication technologies to support education at an affordable cost, including open and distance education, while reducing inequality in access and quality;

"25. *Encourages* the mass media to disseminate information and material of social and cultural benefit to the child in accordance with the spirit of article 29 of the Convention, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health and, in this regard, calls upon States to ensure that the child has access to information and material from a diversity of national and international sources;

"26. *Urges* States:

"(a) To take measures to protect students from violence, injury or abuse, including sexual abuse and intimidation in schools, to establish complaint

mechanisms that are accessible to children and to undertake thorough and prompt investigations of all acts of violence and discrimination;

"(b) To take measures to eliminate the use of corporal punishment in schools;

"*Freedom from violence*

"27. *Calls upon* States to take all appropriate measures to prevent and protect children from all forms of violence, including physical, mental and sexual violence, torture, child abuse, abuse by police, other law enforcement authorities and employees and officials in detention centres or welfare institutions, including orphanages, and domestic violence;

"28. *Also calls upon* States to investigate and submit cases of torture and other forms of violence against children to the competent authorities for the purpose of prosecution and to impose appropriate disciplinary or penal sanctions against those responsible for such practices;

"29. *Requests* all relevant human rights mechanisms, in particular special rapporteurs and working groups, within their mandates, to pay attention to the special situations of violence against children, reflecting their experiences in the field;

"*Non-discrimination*

"30. *Calls upon* all States to ensure that children are entitled to their civil, political, economic, social and cultural rights without discrimination of any kind;

"31. *Notes with concern* the large number of children, particularly girls, among the victims of racism, racial discrimination, xenophobia and related intolerance, and stresses the need to incorporate special measures, in accordance with the principle of the best interests of the child and respect for his or her views, in programmes to combat racism, racial discrimination, xenophobia and related intolerance, in order to give priority attention to the rights and the situation of children who are victims of these practices, and calls upon States to provide special support and ensure equal access to services for those children;

"32. *Calls upon* all States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist not to deny to a child belonging to such a minority or who is indigenous the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion or to use his or her own language;

"*The girl child*

"33. *Calls upon* all States to take all necessary measures, including legal reforms where appropriate:

"(a) To ensure the full and equal enjoyment by girls of all human rights and fundamental freedoms, to take effective actions against violations of those rights and freedoms, and to base programmes and policies on the rights of the child, taking into account the special situation of girls;

"(b) To eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female genital mutilation, the root causes of son preference, marriages without free and full consent of the intending spouses, early marriages and forced sterilization, by enacting and enforcing legislation and, where appropriate, formulating comprehensive, multidisciplinary and coordinated national plans, programmes or strategies protecting girls;

"*Children with disabilities*

"34. *Calls upon* all States to take necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities in both the public and private spheres, including access to good quality education and health care and protection from violence, abuse and neglect, and, where necessary, to develop and enforce legislation against their discrimination to ensure their dignity, promote their self-reliance and facilitate their active participation and integration in the community, taking into account the particularly difficult situation of children with disabilities living in poverty;

"35. *Encourages* the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities to consider the issue of children with disabilities in its deliberations;

"*Migrant children*

"36. *Calls upon* all States to ensure, for migrant children, the enjoyment of all human rights as well as access to health care, social services and education of good quality and to ensure that migrant children and especially those who are unaccompanied, in particular victims of violence and exploitation, receive special protection and assistance;

"*Children working and/or living on the street*

"37. *Calls upon* all States to prevent violations of the rights of children working and/or living on the street, including discrimination, arbitrary detention and extrajudicial, arbitrary and summary executions, torture, all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of these children, and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

"*Refugee and internally displaced children*

"38. *Calls upon* all States to protect refugee, asylum-seeking and internally displaced children, in particular those who are unaccompanied, who are particularly exposed to risks in connection with armed conflict, such as recruitment, sexual violence and exploitation, to pay particular attention to programmes for voluntary repatriation and, wherever possible, local integration and resettlement, to give priority to family tracing and reunification

and, where appropriate, to cooperate with international humanitarian and refugee organizations;

"*Child labour*

"39. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous to or interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, and to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system, as well as to examine and devise economic policies, where necessary, in cooperation with the international community, that address factors contributing to these forms of child labour;

"40. *Urges* all States that have not yet done so to consider ratifying and implementing the Convention Concerning the Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182) of the International Labour Organization, and calls upon States parties to these instruments to comply in a timely manner with their reporting obligations;

"*Children alleged to have or recognized as having infringed penal law*

"41. *Calls upon*:

"(a) All States, in particular States in which the death penalty has not been abolished, to comply with their obligations as assumed under relevant provisions of international human rights instruments, including in particular articles 37 and 40 of the Convention on the Rights of the Child and articles 6 and 14 of the International Covenant on Civil and Political Rights, keeping in mind the safeguards guaranteeing protection of the rights of those facing the death penalty and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989, and calls upon those States to abolish by law as soon as possible the death penalty for those below the age of 18 years at the time of the commission of the offence;

"(b) All States to protect children deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment;

"(c) All States to take appropriate steps to ensure compliance with the principle that depriving children of their liberty should be used only as a measure of last resort and for the shortest appropriate period of time, in particular before trial, and to ensure that, if they are arrested, detained or imprisoned, children are provided with adequate legal assistance and are separated from adults, to the greatest extent feasible, unless it is considered in their best interest not to do so, and also to take appropriate steps to ensure that no child in detention is sentenced to forced labour or corporal punishment, or deprived of access to and provision of health-care services, hygiene and environmental sanitation, education, basic instruction and vocational training,

taking into consideration the special needs of children with disabilities in detention, in accordance with their obligations under the Convention on the Rights of the Child;

"*Recovery and social reintegration*

"42. *Encourages* States to cooperate, including through bilateral and multilateral technical cooperation and financial assistance, in the implementation of their obligations under the Convention on the Rights of the Child, including in the prevention of any activity contrary to the rights of the child and in the rehabilitation and social integration of the victims, such assistance and cooperation to be undertaken in consultation among concerned States and relevant international organizations as well as other relevant actors;

"**Prevention and eradication of the sale of children, child prostitution and child pornography**

"43. *Calls upon* all States:

"(a) To take all appropriate national, bilateral and multilateral measures, inter alia, to develop national laws and allocate resources for the development of long-term policies, programmes and practices and to collect comprehensive and disaggregated gender-specific data, to facilitate the participation of child victims of sexual exploitation in the development of strategies and to ensure the effective implementation of relevant international instruments concerning the prevention and the combat of trafficking and sale of children for any purpose or in any form, including the transfer of the organs of the child for profit, child prostitution and child pornography, and encourages all actors of civil society, the private sector and the media to cooperate in efforts to this end;

"(b) To increase cooperation at all levels to prevent and dismantle networks trafficking in children;

"(c) To consider ratifying or acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

"(d) To criminalize and effectively penalize all forms of sexual exploitation and sexual abuse of children, including within the family or for commercial purposes, child pornography and child prostitution, child sex tourism, the sale of children and their organs, and the use of the Internet for these purposes, while ensuring that, in the treatment by the criminal justice system of children who are victims, the best interests of the child shall be a primary consideration, and to take effective measures against the criminalization of children who are victims of exploitation and effective measures to ensure prosecution of offenders, whether local or foreign, by the competent national authorities, either in the country where the crime was committed, in the offender's country of origin or in the country of destination, in accordance with due process of law;

"(e) In cases of the sale of children, child prostitution and child pornography, to address effectively the needs of victims, including their physical and psychological recovery and full reintegration into society;

"(f) To combat the existence of a market that encourages such criminal practices against children, including through the adoption and effective application of preventive and enforcement measures targeting customers or individuals who sexually exploit or sexually abuse children, as well as ensuring public awareness;

"(g) To afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 3, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, including assistance in obtaining evidence at their disposal for the proceedings;

"(h) To contribute to the elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctioning families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking in children;

"**Children in armed conflict**

"44. *Takes note* of the entry into force of the Rome Statute of the International Criminal Court and notes in particular the inclusion therein, as a war crime, of conscripting or enlisting children under the age of 15 years or using them to participate actively in hostilities in both international and non-international armed conflicts;

"45. *Urges* all States and all other parties to armed conflicts, as recommended in section V of its resolution 57/190:

"(a) To end the recruitment and/or use of children in situation of armed conflict contrary to international law and to ensure their demobilization, effective disarmament and rehabilitation, physical and psychological recovery and reintegration into society;

"(b) When ratifying the Optional Protocol to the Convention on the involvement of children in armed conflict, to raise the minimum age for voluntary recruitment of persons into their national armed forces from that set out in article 38, paragraph 3, of the Convention, bearing in mind that under the Convention persons below the age of 18 years are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

"(c) To protect children affected by armed conflict, in particular to protect them from acts that constitute violations of humanitarian law and human rights law and to ensure that they receive timely, effective and unhindered humanitarian assistance as well as support for physical and

psychological recovery, as recommended in section V of General Assembly resolution 57/190 and in Commission on Human Rights resolution 2003/86;

"(d) To consider appropriate legal, political, diplomatic, financial and material measures, in accordance with the Charter of the United Nations, in order to ensure that parties to armed conflict respect international norms for the protection of children, bearing in mind in particular those parties to armed conflict named in the reports of the Secretary-General on children and armed conflict that are known to recruit or use children as soldiers in violation of their international obligations;

"46. *Emphasizes* the importance of giving systematic consideration to the rights, special needs and particular vulnerability of the girl child during conflicts and in post-conflict situations;

"47. *Regrets* the fact that the report on a comprehensive assessment of the United Nations response to the issue of children affected by armed conflict, requested in its resolution 57/190, has not yet been submitted, and reiterates its request to the Secretary-General to submit his report for consideration as soon as possible;

"Follow-up

"48. *Urges* those States that have not yet done so to complete a national action plan as soon as possible incorporating the goals agreed at the special session of the General Assembly on children, as reflected in its outcome document, 'A world fit for children', and to place those goals in the framework of the Convention;

"49. *Invites* the independent expert conducting the study on the question of violence against children to present an oral progress report on the study to the General Assembly at its fifty-ninth session;

"50. *Decides*:

"(a) To request the Secretary-General to prepare an updated report on progress achieved in realizing the commitments set out in the document entitled 'A world fit for children', with a view to identifying problems and constraints and making recommendations on the action needed to achieve further progress, and to submit his report to the General Assembly at its fifty-ninth session;

"(b) To request the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the rights of the child containing information on the status of the Convention and the problems addressed in the present resolution;

"(c) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit to the General Assembly, the Security Council and the Commission on Human Rights reports containing relevant information on the situation of children affected by armed conflict, taking into account the outcome document adopted by the General Assembly at its special session on children and bearing in mind existing mandates and reports of relevant bodies;

"(d) To request the independent expert for the United Nations study on violence against children to conduct the study as soon as possible, invites Member States, United Nations bodies and organizations, including the Committee on the Rights of the Child, as well as other relevant intergovernmental organizations, to provide substantive and, where appropriate, financial support, including through voluntary contributions, for the effective conduct of the study, and invites non-governmental organizations to contribute to the study, taking into account the recommendations of the Committee made following the general discussions on violence against children held in September 2000 and 2001, and, further, encourages the independent expert to seek also the participation of children in the study, taking into account their age and maturity;

"(e) To request the Secretary-General to ensure the provision of appropriate staff and facilities from the United Nations regular budget for the effective and expeditious performance of the functions of the Committee, and invites the Committee to continue to enhance its constructive dialogue with the States parties to the Convention and its transparent and effective functioning;

"(f) To continue its consideration of this question at its fifty-ninth session under the item entitled 'Promotion and protection of the rights of children'."

50. At its 60th meeting, on 28 November, the Committee had before it a revised draft resolution (A/C.3/58/L.29/Rev.1) submitted by the sponsors of draft resolution A/C.3/58/L.29 and Australia, China, Indonesia and Timor-Leste. Subsequently, Albania, Andorra, Armenia, Bhutan, Bolivia, Burundi, Canada, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Kazakhstan, Japan, Lesotho, Liechtenstein, Mauritius, Mongolia, Morocco, Nepal, New Zealand, Namibia, Norway, the Philippines, the Republic of Moldova, the Russian Federation, Rwanda, San Marino Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Uzbekistan, Zambia and Zimbabwe joined in sponsoring the revised draft resolution.

51. Also at the 60th meeting, the Secretary read out a statement regarding financial provisions relating to the revised draft resolution (see A/C.3/58/SR.60).

52. At the same meeting, the representative of Italy made a statement on behalf of the sponsors and announced that Antigua and Barbuda, Barbados and Guyana had withdrawn as sponsors of the revised draft resolution (see A/C.3/58/SR.60).

53. At the request of the representative of Singapore, the Committee voted on operative paragraph 26 (b) of the draft resolution and on the words "corporal punishment" in operative paragraph 41 (c) of the draft resolution.

54. The Committee retained operative paragraph 26 (b) by a recorded vote of 117 to 10, with 23 abstentions. The voting was as follows:[4]

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada,

[4] The delegation of Suriname subsequently indicated that it had intended to vote in favour of retaining the paragraph, and the delegation of Brazil indicated that its vote on the paragraph should have been recorded as being in favour, not an abstention.

Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Japan, Jordan, Kazakhstan, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Antigua and Barbuda, Barbados, Botswana, Guyana, Malaysia, Nigeria, Sierra Leone, Singapore, United Republic of Tanzania, United States of America.

Abstaining:

Bahamas, Bahrain, Bangladesh, Benin, Brazil, Brunei Darussalam, Democratic Republic of the Congo, Gambia, India, Israel, Jamaica, Kenya, Madagascar, Myanmar, Oman, Pakistan, Republic of Korea, Saint Lucia, Saudi Arabia, Sudan, Togo, Uganda, United Arab Emirates.

55. Before the vote on operative paragraph 26 (b), statements were made by the representatives of Barbados, Guyana and Nigeria; after the vote, the representative of Sierra Leone made a statement (see A/C.3/58/SR.60).

56. The Committee then proceeded to vote on the words "corporal punishment" in operative paragraph 41 (c) of the draft resolution. The words were retained by a recorded vote of 123 to 6, with 24 abstentions. The voting was as follows:[5]

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, , Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kazakhstan, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation,

[5] The delegation of Suriname subsequently indicated that it had intended to vote in favour of retaining the words in the paragraph.

Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Malaysia, Pakistan, Sierra Leone, Singapore, Suriname, United Republic of Tanzania.

Abstaining:

Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Botswana, Brunei Darussalam, Democratic Republic of the Congo, Gambia, Guyana, India, Israel, Jamaica, Kenya, Myanmar, Oman, Saint Lucia, Saudi Arabia, Senegal, Togo, Uganda, United Arab Emirates, United States of America.

57. After the vote, statements were made by the representatives of the Republic of Korea and Pakistan (see A/C.3/58/SR.60).

58. The Committee then engaged in a procedural discussion, during which statements were made by the representatives of Switzerland, Egypt, the Sudan, Liechtenstein, Costa Rica, the Niger, the United States of America (who also announced that her delegation had requested a vote on the draft resolution as a whole), Italy, Pakistan and Trinidad and Tobago (see A/C.3/58/SR.60).

59. After the adoption of paragraphs 26 (b) and 41 (c) of the draft resolution by a recorded vote, the Chairman announced that, in accordance with rule 129 of the rules of procedure of the General Assembly, the draft resolution as a whole would be put to a vote.

60. Also at the 60th meeting, the Committee adopted draft resolution A/C.3/58/L.29/Rev.1, by a recorded vote of 159 to 1 (see para. 65, draft resolution IV). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland,

Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

United States of America.

Abstaining:

None.

61. Before the adoption of the draft resolution, statements were made by the representatives of Bangladesh, the Syrian Arab Republic, the Sudan, Italy (on behalf of the States Members of the United Nations that are members of the European Union and its acceding countries), the Gambia, Malaysia and Nigeria; after the adoption of the resolution, statements were made by the representatives of Singapore, the United States of America, Egypt, the Islamic Republic of Iran, the Niger, Trinidad and Tobago, the Netherlands, Italy, Belgium, Australia, Slovenia, Slovakia, Uruguay, the Gambia, Poland, Brazil, Malaysia, Liechtenstein and Saudi Arabia (see A/C.3/58/SR.60).

62. The Chairman responded to points raised (see A/C.3/58/SR.60).

F. Draft decision proposed by the Chairman

63. At its 62nd meeting, on 1 December, on the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it take note of the report of the Secretary-General on progress towards implementation of the Declaration of Commitment on HIV/AIDS (A/58/184; see also A/58/329) (see para. 66).

64. The representative of the United States of America made a statement (see A/C.3/58/SR.62).

III. Recommendations of the Third Committee

65. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Situation of and assistance to Palestinian children

The General Assembly,

Recalling the Convention on the Rights of the Child,[1]

Recalling also the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[2]

Recalling further the Declaration and Plan of Action adopted by the General Assembly at its twenty-seventh special session,[3]

Concerned that the Palestinian children under Israeli occupation remain deprived of many basic rights under the Convention,

Concerned also about the continued grave deterioration of the situation of Palestinian children in the Occupied Palestinian Territory, including East Jerusalem, and about the severe consequences of the continuing Israeli assaults and sieges on Palestinian cities, towns, villages and refugee camps, resulting in the dire humanitarian crisis,

Emphasizing the importance of the safety and well-being of all children in the whole Middle East region,

Expressing its condemnation of all acts of violence, resulting in extensive loss of human life and injuries, including among Palestinian children,

Deeply concerned about the severe consequences, including psychological consequences, of the Israeli military actions on the present and future well-being of Palestinian children,

1. *Stresses* the urgent need for Palestinian children to live a normal life free from foreign occupation, destruction and fear in their own State;

2. *Demands*, in the meanwhile, that Israel, the occupying Power, respect relevant provisions of the Convention on the Rights of the Child[2] and comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[4] in order to ensure the well-being and protection of Palestinian children and their families;

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[1] Resolution 44/25, annex.
[2] A/45/625, annex.
[3] See resolution S-27/1, annex.
[4] United Nations, *Treaty Series*, vol. 75, No. 973.

3. *Calls upon* the international community to provide urgently needed assistance and services in an effort to alleviate the dire humanitarian crisis being faced by Palestinian children and their families and to help in the reconstruction of relevant Palestinian institutions.

Draft resolution II
The girl child

The General Assembly,

Recalling its resolution 57/189 of 18 December 2002 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Reaffirming the equal rights of women and men as enshrined, inter alia, in the Preamble to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[1] and the Convention on the Rights of the Child,[2]

Welcoming the entry into force of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[3]

Welcoming also the imminent entry into force, on 25 December 2003, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,[4] supplementing the United Nations Convention against Transnational Organized Crime,[5]

Recalling the United Nations Millennium Declaration adopted on 8 September 2000,[6]

Reaffirming the outcome document entitled "A World Fit for Children" adopted by the General Assembly at its special session on children, on 10 May 2002,[7]

Reaffirming also the Declaration of Commitment on HIV/AIDS adopted by the General Assembly at its twenty-sixth special session,[8]

Recalling all other relevant United Nations conferences, the Beijing Declaration[9] and Platform for Action[10] adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[11] and the outcome documents of the recent five-year reviews of the implementation of the Programme of Action of the International Conference on

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[1] Resolution 34/180, annex.
[2] Resolution 44/25, annex.
[3] Resolution 54/263, annexes I and II.
[4] Resolution 55/25, annex II.
[5] Resolution 55/25, annex I.
[6] See resolution 55/2.
[7] Resolution S-27/2, annex.
[8] Resolution S-26/2, annex.
[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.
[10] Ibid., annex II.
[11] Resolution S-23/2, annex, and resolution S-23/3, annex.

Population and Development[12] and the Programme of Action of the World Summit for Social Development,[13]

Reaffirming the Dakar Framework for Action adopted at the World Education Forum,[14]

Recalling the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996,[15] and welcoming the Yokohama Global Commitment 2001, adopted at the Second World Congress against Commercial Sexual Exploitation of Children, held at Yokohama, Japan, from 17 to 20 December 2001,[16]

Recognizing the efforts of the international community to strengthen the standards for combating sexual abuse and exploitation, and in this regard taking note of the Secretary-General's Bulletin on special measures for protection from sexual exploitation and sexual abuse[17] and other policies and codes of conduct developed by the United Nations system to prevent and address such incidents,

Recalling the International Conference on War-Affected Children, held at Winnipeg, Canada, from 10 to 17 September 2000, and affirming the ongoing importance of the Winnipeg Agenda for War-Affected Children[18] for all children affected by armed conflict,

Recognizing the need to achieve gender equality to ensure a just and equitable world for girls,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition and physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices, such as female infanticide, incest, early marriage, prenatal sex selection and female genital mutilation,

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among those most affected and that their potential for full development is thus limited,

Concerned that the girl child has furthermore become the victim of sexually transmitted diseases and increasingly of the human immunodeficiency virus, which have a serious impact on the quality of her life and leave her open to further discrimination,

Concerned also by the increasing number of child-headed households particularly orphan girls, including those orphaned by the HIV/AIDS pandemic,

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[12] Resolution S-21/2, annex.

[13] Resolution S-24/2, annex.

[14] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[15] A/51/385, annex.

[16] See A/S-27/12, annex.

[17] ST/SGB/2003/13.

[18] A/55/467-S/2000/973, annex.

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as guaranteed to her under all human rights instruments, including the Convention on the Rights of the Child[2] and the Convention on the Elimination of All Forms of Discrimination against Women,[1] as well as the need for universal ratification of those instruments;

2. *Urges* States to consider signing, ratifying or acceding to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women[19] and the Optional Protocols to the Convention on the Rights of the Child;[3]

3. *Urges* all States to take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by the girl child of all human rights and fundamental freedoms and to take effective action against violations of those rights and freedoms;

4. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum,[14] in particular that of eliminating gender disparities in primary and secondary education by 2005, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and reaffirms the commitment contained in the United Nations Millennium Declaration[6] in this regard;

5. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action,[10] as contained in paragraph 33 of the further actions and initiatives to implement the Beijing Declaration and Platform for Action,[20] where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

6. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and to raise the minimum age for marriage where necessary;

7. *Also urges* States to fulfil their obligations under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, as well as the commitment to implement the Beijing Platform for Action and the outcomes of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[11] and the special session on children;[7]

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[19] Resolution 54/4, annex.

[20] Resolution S-23/3, annex.

8. *Urges* all States to promote gender equality and equal access to basic social services, such as education, nutrition, health care, including sexual and reproductive health care, vaccinations, and protection from diseases representing the major causes of mortality, and to mainstream a gender perspective in all development policies and programmes;

9. *Also urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced labour, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence;

10. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences;

11. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing Platform for Action, in particular the strategic objectives relating to the girl child, and the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

12. *Urges* States to ensure that the right of children to express themselves and participate in all matters affecting them, in accordance with their age and maturity, is fully and equally enjoyed by girls;

13. *Recognizes* that a considerable number of children live without parental support, such as orphans, children living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation and children who are incarcerated, and in this regard urges States to take special measures to support such children and the institutions, facilities and services that care for them, and to build and strengthen children's own abilities to protect themselves;

14. *Urges* States to take appropriate measures to address the needs of orphan girls by implementing national policies and strategies to build and strengthen governmental, family and community capacities to provide a supportive environment for orphans and girls and boys infected with and affected by HIV/AIDS, including by providing appropriate counselling and psychosocial support, ensuring their enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children; and protect orphans and vulnerable children from all forms of abuse, violence, exploitation, discrimination, trafficking and loss of inheritance;

15. *Also urges* States to take special measures for the protection of girls affected by armed conflicts and in particular to protect them from sexually

transmitted diseases, such as HIV/AIDS, gender-based violence, including rape and sexual abuse, and sexual exploitation, torture, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account the special needs of the girls affected by armed conflict in the delivery of humanitarian assistance and disarmament, demobilization, rehabilitation assistance and reintegration processes;

16. *Deplores* all the cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crises, including those cases involving humanitarian workers and peacekeepers;

17. *Urges* all States and the international community to respect, protect and promote the rights of the child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations, and calls for special initiatives designed to address all of the rights and needs of girls affected by armed conflicts;

18. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and the full respect for and enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate information material on those rights to all sectors of society, in particular to children;

19. *Calls upon* States and international and non-governmental organizations to mobilize all necessary resources, support and efforts to realize the goals, strategic objectives and actions set out in the Beijing Platform for Action and the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

20. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in the country programme of cooperation in accordance with the national priorities, including through the United Nations Development Assistance Framework;[21]

21. *Requests* all human rights treaty bodies, special procedures and other human rights mechanisms of the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

22. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action with a life-cycle perspective so as

[21] See A/53/226, paras. 72-77 and A/53/226/Add.1, paras. 88-98.

to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

23. *Requests* Member States to ensure that, in preventing and addressing HIV/AIDS, particular attention is paid to the girl child infected and affected by HIV/AIDS;

24. *Decides* to review the progress made on the protection and promotion of the rights and well-being of the girl child, and requests the Secretary-General to provide information relating to the girl child in his report on the follow-up to and implementation of the outcomes of the United Nations conferences and summits to be considered during the sixtieth session of the General Assembly.

Draft resolution III
Office of the Special Representative for Children and Armed Conflict

The General Assembly,

Recalling paragraphs 32 to 37 of its resolution 51/77 of 12 December 1996 on the rights of the child, in which the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict was established,

Recalling its resolution 57/190 of 18 December 2002, in which it requested the Secretary-General to undertake a comprehensive assessment of the scope and effectiveness of the United Nations system response to the issue of children affected by armed conflict, including recommendations for strengthening, mainstreaming, integrating and sustaining these activities,

Taking note of the report of the Special Representative of the Secretary-General for Children and Armed Conflict[1] and his oral statement to the Third Committee of the General Assembly[2] on 20 October 2003,

Recalling the role of the General Assembly in promoting the protection of children affected by armed conflict,

Recognizing the progress achieved since the establishment of the mandate of the Special Representative and the recommendation by which the Secretary-General extended the mandate of the Special Representative for Children and Armed Conflict for a further period of three years,

Commending the support and the voluntary contributions of donor countries for the work of the Special Representative in the fulfilment of his mandate,

Expressing concern about the financial instability of the office of the Special Representative of the Secretary-General and its adverse impact on the implementation of the mandate,

Decides that the activities under the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict shall be supported through regular budgetary funding.

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[1] A/58/328.

[2] See A/C.3/58/SR.18.

Draft resolution IV
Rights of the child

The General Assembly,

Recalling its previous resolutions on the rights of the child, the most recent of which is resolution 57/190 of 18 December 2002, and Commission on Human Rights resolution 2003/86 of 25 April 2003,[1]

Emphasizing that the Convention on the Rights of the Child[2] must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of its Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[3] as well as other relevant human rights instruments,

Reaffirming that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents,

Reaffirming also the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for the Implementation of the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[4] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[5]

Reaffirming further the United Nations Millennium Declaration[6] and the Declaration of Commitment on HIV/AIDS,[7]

Reaffirming the outcome document of the special session of the General Assembly on children entitled "A world fit for children",[8] and the commitments contained therein to promote and protect the rights of each child, every human being below the age of 18 years, including adolescents, and the integration of child rights issues into the outcome documents of all major United Nations conferences, special sessions and summits,

Reaffirming also the essential roles of the General Assembly, the Economic and Social Council and the Commission on Human Rights in promoting and protecting the rights and welfare of children, and noting the importance of the debates held by the Security Council on children and armed conflict, of Council resolutions 1379 (2001) of 20 November 2001 and 1460 (2003) of 30 January 2003 and of the undertaking by the Council to give special attention to the protection, welfare and rights of children in armed conflict when taking action aimed at maintaining peace and security, including provisions for the protection of children in

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[1] See *Official Records of the Economic and Social Council, 2003, Supplement No. 23* (E/2003/23), chap. II, sect. A.

[2] Resolution 44/25, annex.

[3] Resolution 54/263, annexes I and II.

[4] A/45/625, annex.

[5] A/CONF.157/24 (Part I), chap. III.

[6] See resolution 55/2.

[7] Resolution S-26/2, annex.

[8] Resolution S-27/2, annex.

the mandates of peacekeeping operations, as well as the inclusion of child protection advisers in these operations,

Welcoming the reports of the Secretary-General on the status of the Convention on the Rights of the Child[9] and on progress achieved in realizing the commitments of the document entitled "A world fit for children",[10] and the report of the Special Representative of the Secretary-General for Children and Armed Conflict,[11]

Welcoming also the work of the Committee on the Rights of the Child in examining the progress made by States parties to the Convention in implementing the obligations undertaken in the Convention and in providing recommendations to States parties on its implementation and, in cooperation with the Office of the United Nations High Commissioner for Human Rights, in enhancing awareness of the principles and provisions of the Convention,

Welcoming further the increase of the membership of the Committee on the Rights of the Child from ten to eighteen,

Welcoming the appointment by the Secretary-General of the independent expert for the United Nations study on violence against children,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of the persistence of poverty, social inequality, inadequate social and economic conditions in an increasingly globalized economic environment, pandemics, in particular HIV/AIDS, malaria, tuberculosis, environmental damage, natural disasters, armed conflict, displacement, exploitation, illiteracy, hunger, intolerance, discrimination, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Bearing in mind the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001-2010, and recalling the Declaration and Programme of Action on a Culture of Peace,[12] which serve as the basis for the Decade,

Recognizing that the family is the basic unit of society and as such should be strengthened, that it is entitled to receive comprehensive protection and support, that the primary responsibility for the protection, upbringing and development of children rests with the family and that all institutions of society should respect the rights of the child and secure his or her well-being and render appropriate assistance to parents, families, legal guardians and other caregivers so that children can grow and develop in a safe and stable environment and in an atmosphere of happiness, love and understanding, bearing in mind that in different cultural, social and political systems, various forms of family exist,

Recognizing also that partnership among Governments, international organizations and relevant organs and organizations of the United Nations system, in particular the United Nations Children's Fund, and all actors of civil society, including non-governmental organizations, as well as the private sector, is important for the realization of the rights of the child,

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[9] A/58/282.

[10] A/58/333.

[11] A/58/328.

[12] Resolutions 53/243 A and B.

Underlining the need for mainstreaming a gender perspective in all policies and programmes relating to children,

Implementation of the Convention on the Rights of the Child and its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography

1. *Urges* States that have not yet done so to sign and ratify or accede to the Convention on the Rights of the Child[2] as a matter of priority, and urges States parties to implement it fully, while stressing that the implementation of the Convention and the achievement of the goals of the World Summit for Children and the special session of the General Assembly on children are mutually reinforcing;

2. *Expresses its concern* about the great number of reservations to the Convention, and urges States parties to withdraw reservations incompatible with the object and purpose of the Convention and to consider reviewing other reservations with a view to withdrawing them;

3. *Urges* States that have not yet done so to consider signing and ratifying or acceding to the Optional Protocols to the Convention on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[3] and urges States parties to implement them fully;

4. *Calls upon* States parties to ensure that the rights set forth in the Convention are respected without discrimination of any kind and that the best interests of the child are a primary consideration in all actions concerning children, to recognize the child's inherent right to life and that the child's survival and development are ensured to the maximum extent possible and also to ensure that the child is able to express his or her views freely in all opinions on matters affecting him or her and that these views are listened to and given due weight in accordance with his or her age and maturity;

5. *Urges* States parties to take all appropriate measures for the implementation of the rights recognized in the Convention, bearing in mind article 4 of the Convention, by:

(a) Putting in place effective national legislation, policies and action plans and by strengthening relevant governmental structures for children, including, where appropriate, ministers in charge of child issues and independent commissioners for the rights of the child;

(b) Ensuring adequate and systematic training in the rights of the child for professional groups working with and for children, including specialized judges, law enforcement officials, lawyers, social workers, medical doctors, health professionals and teachers, and coordination among various governmental bodies involved in children's rights, and encourages States and relevant bodies and organizations of the United Nations system to continue to promote education and training in this regard;

6. *Calls upon* States parties:

(a) To ensure that the members of the Committee on the Rights of the Child are of high moral standing and recognized competence in the field covered by the Convention, serving in their personal capacity, consideration being given to equitable geographical distribution as well as to the principal legal systems;

(b) To strengthen their cooperation with the Committee and to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, as well as to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;

7. *Calls upon* all States and relevant actors concerned to continue to cooperate with the special rapporteurs and special representatives of the United Nations system in the implementation of their mandates, requests the Secretary-General to provide them with appropriate staff and facilities from the United Nations regular budget, when this is in accordance with their respective mandates, invites States to continue to make voluntary contributions, where appropriate, and urges all relevant parts of the United Nations system to provide them with comprehensive reporting to make possible the full discharge of their mandates;

8. *Calls upon* all States to end impunity for perpetrators of crimes committed against children, recognizing in this regard the contribution of the establishment of the International Criminal Court as a way to prevent violations of human rights and international humanitarian law, in particular when children are victims of serious crimes, including the crime of genocide, crimes against humanity and war crimes, and to bring perpetrators of such crimes to justice, and not to grant amnesties for these crimes;

9. *Encourages* all States:

(a) To strengthen their national statistical capacities and to use statistics disaggregated, inter alia, by age, gender and other relevant factors that may lead to disparities and other statistical indicators at the national, subregional, regional and international levels to develop and assess social policies and programmes so that economic and social resources are used efficiently and effectively for the full realization of the rights of the child;

(b) To strengthen their partnership with United Nations organs, within their respective mandates, the Bretton Woods institutions and other multilateral agencies, as well as other relevant actors;

10. *Requests* all relevant organs of the United Nations system, the Office of the United Nations High Commissioner for Human Rights and United Nations mechanisms regularly and systematically to incorporate a strong child rights perspective throughout all activities in the fulfilment of their mandates, as well as to ensure that their staff is trained in child protection matters, and calls upon States to cooperate closely with them;

11. *Encourages* Governments and relevant United Nations bodies, as well as relevant non-governmental organizations and child rights advocates, to continue to contribute, as appropriate, to the web-based database launched by the United Nations Children's Fund in order to continue the provision of information on laws, structures, policies and processes adopted at the national level to translate the Convention into practice, and in this regard commends that body for its work to disseminate lessons learned in the implementation of the Convention;

Promoting and protecting the rights of children and non-discrimination against children, including children in particularly difficult situations

Identity, family relations and birth registration

12. *Calls upon* all States to intensify efforts to ensure the registration of all children immediately after birth, including through the consideration of simplified, expeditious and effective procedures;

13. *Also calls upon* all States to undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law, without unlawful interference and, where a child is illegally deprived of some or all of the elements of his or her identity, to provide appropriate assistance and protection with a view to speedily re-establishing his or her identity;

14. *Urges* all States to ensure, as far as possible, the right of the child to know and be cared for by his or her parents;

15. *Calls upon* States to guarantee, to the extent consistent with each State's obligations, the right of a child whose parents reside in different States to maintain, on a regular basis, save in exceptional circumstances, personal relations and direct contacts with both parents by providing means of access and visitation in both States and by respecting the principle that both parents have common responsibilities for the upbringing and development of their children;

16. *Urges* all States to ensure that a child shall not be separated from his or her parents against their will, except when the competent authorities, subject to judicial review, determine, in accordance with applicable law and procedures, that such separation is necessary in the best interest of the child, and, where alternative care is necessary, to promote family and community-based care in preference to placement in institutions, recognizing that such determination may be necessary in a particular case, such as one involving abuse or neglect of the child by the parents or one in which the parents are living separately and a decision must be made as to the child's place of residence;

17. *Calls upon* States to take all necessary measures to ensure that the best interest of the child is the primary consideration in the adoption of children and to take all necessary measures to prevent and combat illegal adoptions and adoptions that do not follow the normal procedures;

18. *Also calls upon* States to take all necessary measures to address the problem of children growing up without parents, in particular orphaned children and children who are victims of family and social violence, neglect and abuse;

19. *Urges* States to address cases of international kidnapping of children by one of the parents;

Poverty

20. *Reaffirms* that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

21. *Calls upon* States and the international community to cooperate, support and participate in the global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective

allocation of resources are required at all of these levels, in order to ensure that all the development and poverty eradication goals, as set out in the United Nations Millennium Declaration,[6] are realized within their time framework, and to promote the enjoyment of the rights of the child;

Health

22. *Calls upon* all States to take all appropriate measures to develop sustainable health systems and social services and to ensure access to such systems and services without discrimination and to pay particular attention to adequate food and nutrition to prevent disease and malnutrition, to prenatal and post-natal health care, to special needs of adolescents, to reproductive and sexual health and to threats from substance abuse and violence, in particular to all vulnerable groups, and calls upon all States parties to take all necessary measures to ensure the right of all children, without discrimination, to the enjoyment of the highest attainable standard of health;

23. *Urges* all States to assign priority to activities and programmes aimed at preventing the abuse of narcotic drugs, psychotropic substances and inhalants as well as preventing other addictions, in particular addiction to alcohol and tobacco, among children and young people, especially those in vulnerable situations, and to counter the use of children and young people in the illicit production of and trafficking in narcotic drugs and psychotropic substances;

24. *Calls upon* all States to give support and rehabilitation to children and their families affected by HIV/AIDS and to involve children and their caregivers, as well as the private sector, to ensure the effective prevention of HIV infections through correct information and access to voluntary and confidential care, treatment and testing, including pharmaceutical products and medical technologies, affordable to all, giving due importance to the prevention of mother-to-child transmission of the virus;

Education

25. *Also calls upon* all States:

(a) To recognize the right to education on the basis of equal opportunity by making primary education compulsory and available free to all, without discrimination, ensuring that all children, including girls, children in need of special protection, children with disabilities, indigenous children, children belonging to minorities and children from different ethnic origins, have access without discrimination to education of good quality, as well as making secondary education generally available and accessible for all, in particular by the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion and that the education of the child is carried out and that States parties develop and implement programmes for the education of the child in accordance with articles 28 and 29 of the Convention;

(b) To develop national plans of action, or to strengthen existing ones, in order to achieve the objectives of Education for All so as to ensure that all boys and girls complete a full course of primary schooling, and reaffirms the coordinating

role of the United Nations Educational, Scientific and Cultural Organization in this regard;

(c) To design and implement programmes to provide social services and support to pregnant adolescents and adolescent mothers, in particular to enable them to continue and complete their education;

(d) To promote an educational setting that eliminates all barriers that impede the schooling of pregnant adolescents and adolescent mothers;

(e) To take all appropriate measures to prevent racism and discriminatory and xenophobic attitudes and behaviour through education, keeping in mind the important role that children play in changing these practices;

(f) To ensure that children, from an early age, benefit from education and from participation in activities that develop respect for human rights and emphasize the practice of non-violence, with the aim of instilling in them the values and goals of a culture of peace, and invites States to develop national strategies for human rights education that are comprehensive, participatory and effective;

(g) To ensure that education programmes and materials reflect fully the promotion and protection of human rights and values of peace, tolerance and gender equality, using every opportunity presented by the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001-2010;

(h) To harness the rapidly evolving information and communication technologies to support education at an affordable cost, including open and distance education, while reducing inequality in access and quality;

26. *Urges* States:

(a) To take measures to protect students from violence, injury or abuse, including sexual abuse and intimidation or maltreatment in schools, to establish complaint mechanisms that are age appropriate and accessible to children and to undertake thorough and prompt investigations of all acts of violence and discrimination;

(b) To take measures to eliminate the use of corporal punishment in schools;

Freedom from violence

27. *Calls upon* States to take all appropriate measures to prevent and protect children from all forms of violence, including physical, mental and sexual violence, torture, child abuse, abuse by police, other law enforcement authorities and employees and officials in detention centres or welfare institutions, including orphanages, and domestic violence;

28. *Also calls upon* States to investigate and submit cases of torture and other forms of violence against children to the competent authorities for the purpose of prosecution and to impose appropriate disciplinary or penal sanctions against those responsible for such practices;

29. *Requests* all relevant human rights mechanisms, in particular special rapporteurs and working groups, within their mandates, to pay attention to the special situations of violence against children, reflecting their experiences in the field;

Non-discrimination

30. *Calls upon* all States to ensure that children are entitled to their civil, political, economic, social and cultural rights without discrimination of any kind;

31. *Notes with concern* the large number of children, particularly girls, among the victims of racism, racial discrimination, xenophobia and related intolerance, and stresses the need to incorporate special measures, in accordance with the principle of the best interests of the child and respect for his or her views, in programmes to combat racism, racial discrimination, xenophobia and related intolerance, in order to give priority attention to the rights and the situation of children who are victims of these practices, and calls upon States to provide special support and ensure equal access to services for those children;

32. *Calls upon* all States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist not to deny to a child belonging to such a minority or who is indigenous the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion or to use his or her own language;

The girl child

33. *Calls upon* all States to take all necessary measures, including legal reforms where appropriate:

(a) To ensure the full and equal enjoyment by girls of all human rights and fundamental freedoms, to take effective actions against violations of those rights and freedoms and to base programmes and policies on the rights of the child, taking into account the special situation of girls;

(b) To eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female genital mutilation, the root causes of son preference, marriages without free and full consent of the intending spouses, early marriages and forced sterilization, by enacting and enforcing legislation and, where appropriate, formulating comprehensive, multidisciplinary and coordinated national plans, programmes or strategies protecting girls;

Children with disabilities

34. *Also calls upon* all States to take necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities in both the public and private spheres, including access to good quality education and health care and protection from violence, abuse and neglect, and to develop and, where it already exists, to enforce legislation against their discrimination to ensure their dignity, promote their self-reliance and facilitate their active participation and integration in the community, taking into account the particularly difficult situation of children with disabilities living in poverty;

35. *Encourages* the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities to consider the issue of children with disabilities in its deliberations;

Migrant children

36. *Calls upon* all States to ensure, for migrant children, the enjoyment of all human rights as well as access to health care, social services and education of good quality and to ensure that migrant children, and especially those who are unaccompanied, in particular victims of violence and exploitation, receive special protection and assistance;

Children working and/or living on the street

37. *Also calls upon* all States to prevent violations of the rights of children working and/or living on the street, including discrimination, arbitrary detention and extrajudicial, arbitrary and summary executions, torture, all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of these children and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

Refugee and internally displaced children

38. *Further calls upon* all States to protect refugee, asylum-seeking and internally displaced children, in particular those who are unaccompanied, who are particularly exposed to risks in connection with armed conflict, such as recruitment, sexual violence and exploitation, to pay particular attention to programmes for voluntary repatriation and, wherever possible, local integration and resettlement, to give priority to family tracing and reunification and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work;

Child labour

39. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous to or interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system and to examine and devise economic policies, where necessary, in cooperation with the international community, that address factors contributing to these forms of child labour;

40. *Urges* all States that have not yet done so to consider ratifying the Convention Concerning the Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182) of the International Labour Organization, and calls upon States parties to these instruments to implement them fully and to comply in a timely manner with their reporting obligations;

Children alleged to have or recognized as having infringed penal law

41. *Calls upon*:

(a) All States, in particular States in which the death penalty has not been abolished, to comply with their obligations as assumed under relevant provisions of international human rights instruments, including, in particular, articles 37 and 40 of the Convention on the Rights of the Child and articles 6 and 14 of the International Covenant on Civil and Political Rights,[13] keeping in mind the safeguards guaranteeing protection of the rights of those facing the death penalty and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989, and calls upon those States to abolish by law, as soon as possible, the death penalty for those below the age of 18 years at the time of the commission of the offence;

(b) All States to protect children deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment;

(c) All States to take appropriate steps to ensure compliance with the principle that depriving children of their liberty should be used only as a measure of last resort and for the shortest appropriate period of time, in particular before trial, and to ensure that, if they are arrested, detained or imprisoned, children are provided with adequate legal assistance and are separated from adults, to the greatest extent feasible, unless it is considered in their best interest not to do so, and also to take appropriate steps to ensure that no child in detention is sentenced to forced labour or corporal punishment or deprived of access to and provision of health-care services, hygiene and environmental sanitation, education, basic instruction and vocational training, taking into consideration the special needs of children with disabilities in detention, in accordance with their obligations under the Convention on the Rights of the Child;

Recovery and social reintegration

42. *Encourages* States to cooperate, including through bilateral and multilateral technical cooperation and financial assistance, in the implementation of their obligations under the Convention on the Rights of the Child, including in the prevention of any activity contrary to the rights of the child and in the rehabilitation and social integration of the victims, such assistance and cooperation to be undertaken in consultation among concerned States and relevant international organizations as well as other relevant actors;

Prevention and eradication of the sale of children, child prostitution and child pornography

43. *Calls upon* all States:

(a) To take all appropriate national, bilateral and multilateral measures, inter alia, to develop national laws and allocate resources for the development of long-term policies, programmes and practices and to collect comprehensive data, disaggregated by age, gender and other relevant factors, to facilitate the participation of child victims of sexual exploitation in the development of strategies, taking into account their age and maturity, and to ensure the effective

[13] See resolution 2200 A (XXI), annex.

implementation of relevant international instruments concerning the prevention and the combat of trafficking and sale of children for any purpose or in any form, including the transfer of the organs of the child for profit, child prostitution and child pornography, and encourages all actors of civil society, the private sector and the media to cooperate in efforts to this end;

(b) To increase cooperation at all levels to prevent and dismantle networks trafficking in children;

(c) To consider ratifying or acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;[14]

(d) To criminalize and effectively penalize all forms of sexual exploitation and sexual abuse of children, including within the family or for commercial purposes, child pornography and child prostitution, child sex tourism, the sale of children and their organs, and the use of the Internet for these purposes, while ensuring that, in the treatment by the criminal justice system of children who are victims, the best interests of the child shall be a primary consideration, and to take effective measures against the criminalization of children who are victims of exploitation and effective measures to ensure prosecution of offenders, whether local or foreign, by the competent national authorities, either in the country where the crime was committed, or in the country of which the offender is a national or resident, or in the country of which the victim is a national, or any other basis permitted under domestic law in accordance with due process of law;

(e) In cases of the sale of children, child prostitution and child pornography, to address effectively the needs of victims, including their physical and psychological recovery and full reintegration into their family and society;

(f) To combat the existence of a market that encourages such criminal practices against children, including through the adoption, effective application and enforcement of preventive, rehabilitative and punitive measures targeting customers or individuals who sexually exploit or sexually abuse children, as well as ensuring public awareness;

(g) To afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 3, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[3] including assistance in obtaining evidence at their disposal for the proceedings;

(h) To contribute to the elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctional families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking in children;

[14] Resolution 55/25, annex II.

Children in armed conflict

44. *Recognizes* the inclusion in the Rome Statute of the International Criminal Court,[15] as a war crime, of crimes involving sexual violence and crimes of conscripting or enlisting children under the age of 15 years or using them to participate actively in hostilities in both international and non-international armed conflicts;

45. *Urges* all States and all other parties to armed conflicts to end the recruitment and use of children in situations of armed conflict contrary to international law and to ensure their demobilization, effective disarmament and rehabilitation, physical and psychological recovery and reintegration into society;

46. *Urges* all States:

(a) When ratifying the Optional Protocol to the Convention on the involvement of children in armed conflict, to raise the minimum age for voluntary recruitment of persons into their national armed forces from that set out in article 38, paragraph 3, of the Convention, bearing in mind that under the Convention persons below the age of 18 years are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

(b) To protect children affected by armed conflict, in particular to protect them from acts that constitute violations of international humanitarian law and human rights law and to ensure that they receive timely, effective and unhindered humanitarian assistance as well as support for physical and psychological recovery;

47. *Emphasizes* the importance of giving systematic consideration to the rights, special needs and particular vulnerability of the girl child during conflicts and in post-conflict situations;

48. *Regrets* the fact that the report on a comprehensive assessment of the United Nations response to the issue of children affected by armed conflict, requested in resolution 57/190, has not yet been submitted, and reiterates its request to the Secretary-General to submit his report for consideration as soon as possible;

Follow-up

49. *Urges* those States that have not yet done so to complete a national action plan as soon as possible incorporating the goals agreed at the special session of the General Assembly on children, as reflected in its outcome document, "A world fit for children",[8] and to place those goals in the framework of the Convention;

50. *Decides*:

(a) To request the Secretary-General to prepare an updated report on progress achieved in realizing the commitments set out in the document entitled "A world fit for children", with a view to identifying problems and constraints and making recommendations on the action needed to achieve further progress, and to submit his report to the General Assembly at its fifty-ninth session;

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[15] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June-17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

(b) To request the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the rights of the child containing information on the status of the Convention and the problems addressed in the present resolution;

(c) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit to the General Assembly, the Security Council and the Commission on Human Rights reports containing relevant information on the situation of children affected by armed conflict, taking into account the outcome document adopted by the General Assembly at its special session on children and bearing in mind existing mandates and reports of relevant bodies;

(d) To request the independent expert for the United Nations study on violence against children to conduct the study as soon as possible, invites Member States, United Nations bodies and organizations, including the Committee on the Rights of the Child, as well as other relevant intergovernmental organizations, to provide substantive and, where appropriate, financial support, including through voluntary contributions, for the effective conduct of the study, invites non-governmental organizations to contribute to the study, taking into account the recommendations of the Committee made following the general discussions on violence against children held in September 2000 and 2001, and encourages the independent expert to also seek the participation of children in the study, taking into account their age and maturity;

(e) To invite the independent expert conducting the study on the question of violence against children to present an oral progress report on the study to the General Assembly at its fifty-ninth session;

(f) To request the Secretary-General to ensure the provision of appropriate staff and facilities from the United Nations regular budget for the effective and expeditious performance of the functions of the Committee, and invites the Committee to continue to enhance its constructive dialogue with the States parties to the Convention and its transparent and effective functioning;

(g) To continue its consideration of this question at its fifty-ninth session under the item entitled "Promotion and protection of the rights of children".

66. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Report of the Secretary-General on progress towards implementation of the Declaration of Commitment on HIV/AIDS

The General Assembly takes note of the report of the Secretary-General on progress towards implementation of the Declaration of Commitment on HIV/AIDS.[1]

[1] A/58/184; brought to the attention of the Committee in a note by the Secretary-General (A/58/329).

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Programme of activities of the International Decade of the World's Indigenous People

Report of the Third Committee

Rapporteur: Mr. Abdulla Eid Salman **Al-Sulaiti** (Qatar)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-eighth session the item entitled "Programme of activities of the International Decade of the World's Indigenous People" and to allocate it to the Third Committee.

2. The Committee considered the item at its 21st, 22nd, 23rd, 27th and 28th meetings, on 22, 23, 29 and 30 October 2003. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/58/SR.21-23, 27 and 28).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Relevant chapters of the report of the Economic and Social Council for 2003;[1]

(b) Note by the Secretary-General transmitting the annual report of the United Nations High Commissioner for Human Rights on the implementation of the programme of activities for the International Decade of the World's Indigenous People (A/58/289).

4. At the 21st meeting, on 22 October, the Director of the New York Office of the United Nations High Commissioner for Human Rights and the Director of the Division for Social Policy and Development of the Department of Economic and Social Affairs made introductory statements (see A/C.3/58/SR.21).

[1] A/58/3 (Parts I and II); for the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 3* (A/58/3/Rev.1).

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5. At the same meeting, the Committee engaged the above-mentioned speakers in a dialogue, in which the representatives of Mexico and Canada took part (see A/C.3/58/SR.21).

II. Consideration of draft resolution A/C.3/58/L.27

6. At the 27th meeting, on 29 October, the representative of Finland, on behalf of Argentina, Australia, Austria, Belgium, Belize, Brazil, Canada, Chile, China, Croatia, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, the Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, the Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "International Decade of the World's Indigenous People" (A/C.3/58/L.27). Subsequently, Armenia, Bolivia, Burkina Faso, the Central African Republic, Costa Rica, Dominica, El Salvador, Gabon, Paraguay, South Africa, the former Yugoslav Republic of Macedonia and Timor-Leste joined in sponsoring the draft resolution.

7. At its 28th meeting, on 30 October, the Committee adopted draft resolution A/C.3/58/L.27 without a vote (see para. 8).

III. Recommendation of the Third Committee

8. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

International Decade of the World's Indigenous People

The General Assembly,

Recalling its resolution 57/192 of 18 December 2002 and previous resolutions on the International Decade of the World's Indigenous People, including resolution 50/157 of 21 December 1995, by which it adopted the programme of activities for the Decade,

Recalling also its resolution 40/131 of 13 December 1985, by which it established the United Nations Voluntary Fund for Indigenous Populations, and its resolution 57/191 of 18 December 2002, as a result of which the Trust Fund in Support of the Permanent Forum on Indigenous Issues was established,

Recalling further that the goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health, and that the theme of the Decade is "Indigenous people: partnership in action",

Welcoming, in this respect, the contributions made to the realization of the goals of the Decade by the Permanent Forum on Indigenous Issues at its first and second sessions, held in New York from 13 to 24 May 2002 and from 12 to 23 May 2003, respectively,

Welcoming also the contributions made by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 7 September 2001, and the World Summit on Sustainable Development, held at Johannesburg, South Africa, from 26 August to 4 September 2002, to the realization of the goals of the Decade,

Welcoming further the reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people, submitted to the Commission on Human Rights at its fifty-eighth[1] and fifty-ninth sessions,[2]

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the Decade, the need for adequate financial support from the international community, including support from within the United Nations system, and the need for adequate coordination and communication channels,

Urging all parties to continue to use their best efforts to achieve the goals of the Decade,

1. *Takes note* of the note by the Secretary-General transmitting the report of the United Nations High Commissioner for Human Rights on the implementation of

[1] E/CN.4/2002/97 and Add.1.

[2] E/CN.4/2003/90 and Add.1-3.

the programme of activities of the International Decade of the World's Indigenous People;[3]

2. *Affirms its conviction* of the value and diversity of the cultures and forms of social organization of indigenous people and its conviction that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world;

3. *Emphasizes* the importance of strengthening the human and institutional capacity of indigenous people to develop their own solutions to their problems;

4. *Requests* the United Nations High Commissioner for Human Rights, as coordinator for the Decade:

(a) To continue to promote the objectives of the Decade, taking into account, in the fulfilment of his functions, the special concerns of indigenous people;

(b) To give due regard to the dissemination, from within existing resources and voluntary contributions, of information on the situation, cultures, languages, rights and aspirations of indigenous people and, in that context, to consider the possibility of organizing projects, special events, exhibitions and other activities addressed to the public, in particular to young people;

(c) To submit, through the Secretary-General, an annual report to the General Assembly on the implementation of the programme of activities for the Decade;

5. *Reaffirms* the adoption of a declaration on the rights of indigenous people as a major objective of the Decade, and underlines the importance of effective participation by indigenous representatives in the open-ended intersessional working group of the Commission on Human Rights charged with developing a draft declaration on the rights of indigenous people, established pursuant to Commission resolution 1995/32 of 3 March 1995;[4]

6. *Welcomes* the active consideration by the Permanent Forum on Indigenous Issues of a number of topics pertaining to the Decade, as reflected in its report to the Economic and Social Council on its second session,[5] and encourages the Forum to continue to work towards the realization of the goals of the Decade;

7. *Encourages* Governments to support the Decade by:

(a) Preparing relevant programmes, plans and reports in relation to the Decade, in consultation with indigenous people;

(b) Seeking means, in consultation with indigenous people, of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters that affect them;

(c) Establishing national committees or other mechanisms involving indigenous people to ensure that the objectives and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

(d) Contributing to the following funds:

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[3] A/58/289.

[4] See *Official Records of the Economic and Social Council, 1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[5] Ibid., *2003, Supplement No. 23* (E/2003/43).

(i) The United Nations Trust Fund for the International Decade of the World's Indigenous People;

(ii) The United Nations Voluntary Fund for Indigenous Populations, in order to assist indigenous representatives in participating in the Permanent Forum on Indigenous Issues, the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights and the open-ended intersessional working group of the Commission on Human Rights charged with elaborating a draft declaration on the rights of indigenous people;

(iii) The Trust Fund in Support of the Permanent Forum on Indigenous Issues;

(iv) The Fund for the Development of Indigenous Peoples in Latin America and the Caribbean;

(e) Identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people and intergovernmental and non-governmental organizations;

8. *Invites* United Nations financial and development institutions, operational programmes and the specialized agencies and secretariats, as well as other regional and international organizations, in accordance with the existing procedures of their governing bodies:

(a) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries, inter alia, through the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(b) To launch special projects, through appropriate channels and in cooperation with indigenous people, to strengthen their community-level initiatives and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

(c) To designate focal points for the coordination of activities relating to the Decade with the Office of the United Nations High Commissioner for Human Rights;

and commends those institutions, programmes, agencies and regional and international organizations that have already done so;

9. *Recommends* that the Secretary-General ensure coordinated follow-up to the recommendations concerning indigenous people of relevant United Nations conferences;

10. *Requests* the United Nations High Commissioner for Human Rights to submit, through the Secretary-General, a report on the implementation of the programme of activities for the Decade to the General Assembly at its fifty-ninth session;

11. *Takes note* of Economic and Social Council decision 2003/306 of 25 July 2003 concerning the initiation of its review of the International Decade of the World's Indigenous People, pursuant to General Assembly resolution 50/157;

12. *Decides* to include in the provisional agenda of its fifty-ninth session an item entitled "Programme of activities for the International Decade of the World's Indigenous People, 1995-2004".